

REMARKS

Status of the Application

This paper is responsive to the Office Action, entered in the above referenced pending application.

Claims 11, 12, 14, 19, and 21 are pending.

The pending claims stand rejected under 35 U.S.C. § 102.

Amendments to the Claims

New claims 22-31 are added by foregoing amendments. The claims, all dependent, are directed to embodiments of interest to Applicants which are within the scope of, but further patentably distinguish, pending claims 11, 12, 14, 19 and 21. The new claims are supported in the disclosure at pages 3-4, and

Claim Rejections - 35 U.S.C. § 102

Claims 11, 12, 14, 19, and 21 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rietz et al., U.S. Patent No. 6,132,641 ("*Rietz*"). The remaining claims under this rejection are 11, 12, and 19, each of which is dependent on Claim 14.

Rietz discloses soluble poly(bis-9,9'-fluorenes) which may have substituents that are the same or different. However, there is no teaching or suggestion in *Rietz* of forming a mixture of randomly substituted spirofluorene monomers, or monomers of any kind, as recited in Applicants' Claim 14. The Examiner has pointed to the discussion at column 6, lines 19-26 of *Rietz*, which mentions alkylating agents. However, the alkylating agents in *Rietz* are used to treat *diamino*-spirobisfluorene to alkylate the amino group to form N,N,N',N'-tetraalkyl compounds. There is no teaching of alkylating in the absence of the amino groups. Furthermore, there is no teaching or suggestion of treating with a *mixture* of alkylating agents having different alkyl groups, as recited in Claim 21. Applicants polymer results from the polymerization of randomly substituted monomers. This variation of substituents alters the morphology of claimed polymeric compositions, which is neither taught nor suggested by *Rietz*.

Applicants respectfully submit that Claims 14 and all the claims dependent thereon, are not anticipated by *Rietz*. Applicants request that this rejection be withdrawn.

New Claims are not Anticipated by Previously Cited Art

The amended claims are patentably distinct over art previously made of record, Woo et al., U.S. Patent No. 5,962,631, ("*Woo*"). A previous Office Action cited a structure from Example 21, Col. 29, representing a block co-polymer in which the substituent groups on each comonomer are the same, though varied between comonomers, as follows. The structure was shown in the August 14, 2007 final Office Action at the top of page 4.

Equation 4, Col. 13 and Col. 14 of Woo show nothing more than the conversion of trialkylsiloxy moieties ($-\text{OSi}(\text{R}^{10})_3$) to hydroxyl groups on each of the terminal aryl rings.

CONCLUSION

Extension of Time

Applicants request an extension of time under 37 C.F.R. § 1.136(a) of three (3) months. Authorization to charge the requisite fee for any extension of time has been given in a paper filed on February 3, 2004 with new application papers. Accordingly, the Director is authorized to charge the appropriate extension fee to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company). The date within the three month extension defaults to today, Monday September 15, 2008 by operation of 37 C.F.R. § 1.7(a).

Summation

In view of the foregoing remarks, Applicants submit that a thorough and complete response to the Office Action mailed on March 14, 2008, has been made in this paper and that the above referenced pending application is in condition for allowance. A Notice of Allowance for Claims 11, 12, 14, 19, and 21 is therefore earnestly solicited.

Should there be any questions about the content of this paper or the status of the application, the Examiner is invited to call the undersigned at the telephone number listed below.

Respectfully submitted,

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